

US

Akerman Senterfitt

<b>COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY</b> <small>(Includes Reference to PCT International Applications)</small>	<b>ATTORNEY DOCKET NUMBER</b>  7202-124																									
<p>As a below named inventor, I hereby declare that:</p> <p>My residence, mailing address and citizenship are as stated below next to my name.</p> <p>I believe that I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:</p> <p><u>INTRAMEDULLARY NAIL COMPRISING ELEMENTS OF SHAPE-MEMORY MATERIAL</u></p> <p>the specification of which (check only one item below):</p> <p><input type="checkbox"/> is attached hereto.</p> <p><input type="checkbox"/> was filed as U.S. Patent Application Serial Number _____ on _____, as amended on _____ (if applicable).</p> <p><input checked="" type="checkbox"/> was filed as a PCT international application number <u>PCT/EP2005/003395</u> on <u>March 31, 2005</u>, as amended on _____ (if applicable).</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.</p> <p>I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.</p> <p>I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or (f), or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the applications on which priority is claimed:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Prior Foreign Application Number(s)</th> <th style="width: 15%;">Country</th> <th style="width: 20%;">Foreign Filing Date (MM/DD/YYYY)</th> <th style="width: 15%;">Priority Not Claimed</th> <th style="width: 25%;">Certified Copy Attached?</th> </tr> </thead> <tbody> <tr> <td>04007786.9</td> <td>EP</td> <td>March 31, 2004</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>04007785.1</td> <td>EP</td> <td>March 31, 2004</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> </tbody> </table> <p><input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.</p>		Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	04007786.9	EP	March 31, 2004	<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO	04007785.1	EP	March 31, 2004	<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO				<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO				<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
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I hereby claim the benefit under 35 U.S.C. Sections 120 or 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:					
<b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:</b>					
U.S. APPLICATIONS			STATUS (Check One)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	ABANDONED	PENDING	
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NUMBER	PCT FILING DATE	U.S. SERIAL NUMBERS			
<b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint registered patent practitioners associated with Customer Number 30448 to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.					
Send Correspondence to: *Customer Number 30448* Akerman Senterfitt P.O. Box 3188 West Palm Beach, FL 33402-3188			Direct Telephone Calls to: Mark D. Passler  (561) 653-5000		
201	FULL NAME OF INVENTOR	FAMILY NAME COATI	FIRST GIVEN NAME MICHELE	SECOND GIVEN NAME	
	RESIDENCE & CITIZENSHIP	CITY SAN PIETRO IN CARIANO	STATE OR COUNTRY ITALY	COUNTRY OF CITIZENSHIP ITALIAN	
	MAILING ADDRESS	MAILING ADDRESS VIA A. VIVALDI, 2	CITY SAN PIETRO IN CARIANO	STATE & ZIP CODE/COUNTRY ITALY, I-37029	
202	FULL NAME OF INVENTOR	FAMILY NAME MARAZZI	FIRST GIVEN NAME GIANCARLO	SECOND GIVEN NAME	
	RESIDENCE & CITIZENSHIP	CITY SARONNO	STATE OR COUNTRY ITALY	COUNTRY OF CITIZENSHIP ITALY	
	MAILING ADDRESS	MAILING ADDRESS VIA STRA FAVIA 1/A	CITY SARONNO	STATE & ZIP CODE/COUNTRY ITALY, I-21047	
203	FULL NAME OF INVENTOR	FAMILY NAME MARINI	FIRST GIVEN NAME GRAZIANO	SECOND GIVEN NAME	
	RESIDENCE & CITIZENSHIP	CITY CASTEL D'AZZANO	STATE OR COUNTRY ITALY	COUNTRY OF CITIZENSHIP ITALY	
	MAILING ADDRESS	MAILING ADDRESS VIA IV NOVEMBRE, 74/A	CITY CASTEL D'AZZANO	STATE & ZIP CODE/COUNTRY ITALY, I-37060	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.					
SIGNATURE OF INVENTOR 201 COATI Michele		SIGNATURE OF INVENTOR 202 MARAZZI Giancarlo		SIGNATURE OF INVENTOR 203 MARINI Graziano	
DATE December 4 <sup>th</sup> , 2006		DATE December 5 <sup>th</sup> , 2006		DATE December 4 <sup>th</sup> , 2006	

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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet
Page <u>2</u> of <u>2</u>	

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
GRAZIANO		ROSSI	
Inventor's Signature		Date <u>Dec. 4<sup>th</sup></u> , 2006	
VERONA Residence: City	State	ITALY Country	ITALY Citizenship
VIA L. DE BESI, 22			
Mailing Address			
VERONA City	State	I-37139 Zip	ITALY Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
LUIGI		ROSSI	
Inventor's Signature		Date <u>Dec. 5<sup>th</sup></u> , 2006	
PESCHIERA DEL GARDA Residence: City	State	ITALY Country	ITALY Citizenship
VIA FORTE LAGHETTO, 8			
Mailing Address			
PESCHIERA DEL GARDA City	State	I-37019 Zip	ITALY Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
DANIELE		VERTURINI	
Inventor's Signature		Date <u>Dec. 4<sup>th</sup></u> , 2006	
POVEGLIANO VERONESE Residence: City	State	ITALY Country	ITALY Citizenship
VIA DEI CARPINI, 38			
Mailing Address			
POVEGLIANO VERONESE City	State	I-37064 Zip	ITALY Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.